

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

United States of America

v.

Kenneth Allen Carson

Case No. 4:02-cv-00813-TLW

Order

This matter comes before the Court on Defendant's motion to appoint counsel. ECF No. 307. For the reasons set forth below, Defendant's motion is denied.

Defendant requests appointment of counsel to assist him with his request for compassionate release and relief under the First Step Act. There is no general constitutional right to appointed counsel in post-conviction proceedings. *See Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987); *United States v. Williamson*, 706 F.3d 405, 416 (4th Cir. 2013). The court has discretion to appoint counsel in proceedings under 18 U.S.C. § 3582(c) if the interests of justice so require. *See United States v. Legree*, 205 F.3d 724, 730 (4th Cir 2000); *see also United States v. Reed*, 482 F.App'x 785, 786 (4th Cir. 2012). Here, Defendant has not established the interests of justice require appointment of counsel. This Court will give full consideration to the Defendant's motion whether represented or not. He will not be prejudiced if proceeding *pro se*.

Accordingly, Defendant's request for appointment of counsel, ECF No. 307, is **DENIED**.

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
Senior United States District Judge

January 14, 2021
Columbia, South Carolina